

## **REMARKS**

**[0004]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-20 and 22-26 are presently pending. Claims amended herein are 1, 9, 14, 16, 20, and 22. No claims are added, withdrawn, or cancelled herein.

### **Statement of Substance of Interview**

**[0005]** The Examiner graciously talked with me—the undersigned representative for the Applicant—on February 17, 2009. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

**[0006]** During the interview, I discussed how the claims differed from the cited references. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments. While The Examiner and I had a good discussion of the possible clarifying amendments and differences between the claimed subject matter and cited references, no agreement was reached.

**[0007]** Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

## **Claim Amendments**

**[0008]** Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 9, 14, 16, 20, and 22 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

**[0009]** Support for the amendments to claims 1, 9, 14, 16, 20, and 22 is found in the specification at least in paragraphs 33 and 47.

## **Substantive Matters**

### **Claim Rejections under § 103**

**[0010]** The Examiner rejects claims 1-20 and 22-26 under § 103. In response, Applicant has amended the claims to overcome the Examiner's rejections.

**[0011]** Accordingly, Applicant respectfully requests that the § 103 rejections be withdrawn and the case be passed along to issuance.

**[0012]** The Examiner's rejections are based upon the following references alone or in combination:

- **Bokor:** *Bokor, et al.*, US Patent Application Publication No. 2004/0015998 (Published January 22, 2004);
- **Addington:** *Addington, et al.*, US Patent Application Publication No. 2004/0025181 (Published February 5, 2004);
- **Westrick:** *Westrick*, US Patent No. 7,165,264 (issued January 17, 2007);
- **Eyal:** *Eyal*, US Patent No. 6,484,199 (issued November 19, 2002);
- **Barrus:** *Barrus, et al.*, US Patent Application Publication No. 2005/0022122 (Published January 27, 2005); and
- **MacInnis:** *MacInnis*, US Patent Application Publication No. 2003/0028899 (Published February 6, 2003).

## **Overview of the Application**

[0013] The Application describes a technology that generally pertains to digital video television technology. At least one implementation, described herein, provides an asset definition framework for digital television (DTV) managed applications.

## **Cited References**

[0014] The Examiner cites Bokor as the primary reference in the obviousness-based rejections. The Examiner cites Addington, Westrick, Eyal, Barrus, and MacInnis as secondary references in the obviousness-based rejections.

### *Bokor*

[0015] Bokor describes a technology for providing commercials to a subscriber at the start of or during their use of an interactive television application. Further in accordance with the invention, a subscriber may select to pay for use of the interactive television application by watching a specified amount of commercials in connection with use of the application. The subscriber can thereby reduce or avoid any additional payment for such services. In accordance with another aspect of the invention, the subscriber is prompted to determine the payment method preferred by the subscriber payment method includes receiving commercials as an option in lieu of or in addition to traditional

payment methods such as pay-per-view, pay-per-use pay-per-play and subscription based.

*Addington*

**[0016]** Addington describes a technology for an asset provider that can identify a segment of a broadcast stream to be extracted at a distribution endpoint and formatted for on-demand viewing by cable subscribers. An asset provider can use a start time code and a stop time code to identify the start and end of the segment in the broadcast stream. The asset provider can also insert tags into the broadcast stream identifying a segment to be extracted at the distribution endpoint. Upon receiving the broadcast stream, the distribution endpoint can then extract the segment identified by either the start and stop time codes or the tags.

*Westrick*

**[0017]** Westrick describes a technology for a tool usable in an interactive television environment that comprises a module having code to analyze a dynamic text string and to determine where to split or truncate the text string, at spaces, for each row and/or into substrings for each page. The module takes into account the pixel width of the characters in the text string and the available rows of the display area of the television to write the text string. The module can truncate the text string after a particular number of lines at a space and append an ellipsis, or the module can dynamically write code to accommodate the entire

text string in a "page flipper," where the user sees substrings of the text string on each page (broken at a space at the end of each page) and can "page" forward or backward through the entire text string.

*Eyal*

**[0018]** Eyal describes a technology for a search request that is received over the network to play back media that satisfies one or more search criteria. A plurality of media resources are selected by comparing the search criteria to information associated with the media resources. A set of media resources is established based on the plurality of media resources. Media resources that include the set of media resources are played back through the network on a network enabled device. In response to termination of playback of a given media resource, playback of another media resource is automatically initiated.

*Barrus*

**[0019]** Barrus describes a technology for a system for inputting and managing document collections, in which the order that documents are presented to the system dictates the organization and hierarchy for the electronically stored document collection. Users can add annotations to documents and collections by writing on a coversheet; the system scans the coversheet, reads the written material, and adds the material to the electronically stored document and/or collection. In addition, in one aspect the invention provides a mechanism for granting different levels of access to different

individuals, by generating coversheets that point to the same collection but that provide different levels of access to the collection.

*MacInnis*

**[0020]** MacInnis describes a technology for a system for downloading different versions of software or data modules into a plurality of terminals having different compatibility interfaces that includes an authoring component for generating the different module versions, a downloading source including a descriptor table which associates each module version with a list of compatibility requirements needed to download the module, and a plurality of terminals coupled to the downloading source. The downloading source transmits the descriptor table to each terminal and also continuously transmits the modules over the network. Each terminal extracts the descriptor table and, based on a match between an entry in the descriptor table and an internally stored table, determines which version of a particular module should be downloaded. The system avoids the need for two-way communication between each terminal and the downloading source.

## **Obviousness Rejections**

**[0021]** The Examiner rejects claims 1-4, 9-10, 14-17, and 22 under 35 U.S.C. § 103(a) as being unpatentable over Bokor, Addington, and Westrick. The Examiner also rejects claims 5-7, 11, 12, 18-20, and 23-25 under 35 U.S.C. §103(a) as being unpatentable over Bokor, Addington, Westrick, and Eyal. The Examiner further rejects claims 8, 13, and 26 under 35 U.S.C. §103(a) as being unpatentable over Bokor, Addington, Westrick, Eyal, Barrus, and MacInnis. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

### **Independent Claim 1**

**[0022]** Applicant submits that the combined references do not teach or suggest at least the following features as recited in this claim (with emphasis added):

- “generating, by the head-end equipment, an application information table for conveying application signaling information to a DTV receiving unit, the application information table being generated based on the associated metadata”

**[0023]** In contrast, Bokor describes a system which transmits interactive applications, such as games, and video-on-demand objects, such as commercials, to a set-top box of a user. As noted in paragraph 25, transmission of the applications to the set-top boxes may be through a cable service head-end. The applications may also include data, such as triggers, which may be extracted by the

set-top boxes to determine when to play commercials. Addington is cited as teaching that the receiving is facilitated by an asset definition interface. Westrick is cited as disclosing that the head-end equipment, content provider and DTV receiving unit are each separate and distinct from each other.

**[0024]** Nothing in the combined references teaches or suggests “generating ... an application information table for conveying application signaling information to a DTV receiving unit, the application information table being generated based on the associated metadata.” The triggers of Bokor, which the Examiner equates to the application signaling information (a reading which Applicant does not concede), are not described as being conveyed by any sort of table, much less an *application information table*, as recited in amended claim 1.

**[0025]** Additionally, proposed claim 16 recites “wherein the metadata ... is defined to correspond to information an application signaling generator of the head-end equipment needs to generate the application information table.” Again, none of the references teaches a table conveying application signaling information. Thus, the references certainly do not suggest generating such a table when they do not even disclose the table itself. Further, nothing mentions metadata that is defined to correspond to information needed to generate a table. Nothing in the cited references discloses these recitations.

**[0026]** As shown above, the combined references do not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Independent 9, 14, 20, and 22

**[0027]** These claims include recitations similar to those discussed above with regard to claim 1. Accordingly, claims 9, 14, 20, and 22 are patentable over Bokor, Addington, and Westrick for at least the same reasons.

**[0028]** Eyal is further cited by the Examiner as disclosing recitations of claim 20. Eyal is not, cited, however, as disclosing the above discussed recitations of claim 1, which are similar to those of claim 20, and further, Eyal does not disclose those recitations. Thus, even when Eyal is combined with Bokor, Addington, and Westrick, claim 20 remains patentable.

Dependent Claims 2-8, 10-13, 15-19, and 23-26

**[0029]** These claims ultimately depend upon independent claims 1, 9, 14, and 22. As discussed above, claims 1, 9, 14, and 22 are allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

## **Conclusion**

[0030] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC  
Representatives for Applicant

/Robert C. Peck/ \_\_\_\_\_ Dated: 3/24/2009 \_\_\_\_\_  
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